

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	CASE NO. GNR-T-02-11
CENTURYTEL OF THE GEM STATE, INC.)	
AND CENTURYTEL OF IDAHO, INC. FOR)	
APPROVAL OF A TARIFF ADVICE)	
CONTAINING DEPOSIT REQUIREMENTS BY)	ORDER NO. 29152
INCUMBENT LOCAL EXCHANGE CARRIERS)	
FOR INTEREXCHANGE CARRIERS.)	

On June 12, 2002, CenturyTel filed two identical tariff advices that proposed changes in their Access Service Tariffs regarding the deposit requirements for interexchange carriers. On August 7, 2002, the Commission found that CenturyTel's tariff advices raised important policy issues that could affect all local exchange companies and interexchange carriers operating in Idaho. Order No. 29089 at 1. Accordingly, these advices were treated as applications and processed by Modified Procedure under the Commission's Rules of Procedure. *Id.*

On October 28, 2002, CenturyTel of the Gem State and CenturyTel of Idaho, Inc. ("CenturyTel") filed a Notice of Withdrawal of its Application pursuant to Commission Rule of Procedure 68. IDAPA 31.01.01.068. The Company states that it has proceedings relating to similar deposit requirements currently ongoing in multiple states. CenturyTel states that because of the expense associated with these multiple proceedings it is withdrawing its tariff advices in Idaho. Finally, the Company states that this withdrawal is subject to possible refileing at a later date. All parties that filed written comments with the Commission in this case have been served with CenturyTel's Notice.

COMMISSION DECISION

Pursuant to Rule 68 a party desiring to withdraw a pleading must file a notice of withdrawal of that pleading with the Commission and serve it on all parties. This notice becomes effective unless otherwise ordered by the Commission 14 days after filing. Thus, on November 12, 2002, CenturyTel's pleading was automatically withdrawn. However, because this case was converted to a generic proceeding the Commission finds that CenturyTel's Notice of Withdrawal cannot close this case automatically. Rather an Order is necessary to close this case not only because

it is a generic proceeding but also because of the significant interest generated by CenturyTel's filings.¹

After reviewing the record in this case the Commission finds that the case shall be closed without prejudice because the only party that has filed proposed tariffs containing these new deposit requirements has now withdrawn them, and no party has filed any opposition to the closing of this case.

ORDER

IT IS HEREBY ORDERED that this case is closed without prejudice based on CenturyTel's withdrawal of its tariff advices and because no party has filed any opposition to the closing of this case.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No. GNR-T-02-11 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or interlocutory Orders previously issued in this case. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* §§ 61-626 and 62-619.

¹ In this generic proceeding several interested parties have filed detailed written comments about the type of security deposits that CenturyTel proposes in its Applications. For example, in general, the Association of Communications Enterprises, AT&T Communications of the Mountain States, Inc. and WorldCom, Inc. filed comments opposing approval of CenturyTel's Applications and associated proposed tariffs. Potlatch Telephone Company, CenturyTel, the Idaho Telephone Association and Verizon Northwest Inc. have filed written comments in support of these same proposed tariffs. In its written comments the Commission Staff recommended that the Commission deny without prejudice CenturyTel's proposed tariffs at this time because similar cases were being examined at the Federal Communications Commission.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 15th
day of November 2002.



PAUL KJELLANDER, PRESIDENT

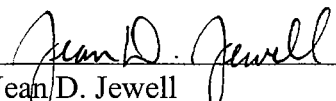


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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